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PEC GROUP OF NY, INC.

"Protecting Your State, Securing America"

INCIDENT SUMMARY: DMV 05/16/13

On Thursday, May 16, 2013, at approximately 10:15am, Account Manager Lionel Flores received a call from Cathy, Administrative Assistant to DMV Manager Heidi Burke in the Brooklyn South District Office. Cathy informed Mr. Flores, that Barry Blanding, the security officer on the District Office side and David Smart from the Traffic Violation Bureau got into a verbal confrontation.

Mr. Flores informed Cathy that he was sending replacements for both officers, and that he was on his way to speak with the officers.

Mr. Flores spoke to both officers over the phone and both made conflicting statements, naming the other as the aggressor. Officer Smart alleged that Officer Blanding opened a door that separated the Ticket Violation Bureau from the District Office and caused it to contact Officer Smart's head. Officer Blanding alleged that Officer Smart allowed personnel to enter through the door without authorization, and when he went to speak to Officer Smart about it, Officer Smart became belligerent and confrontational. Mr. Flores instructed both to remain separated until he arrived.

Upon arrival at approximately 11:35am, Mr. Flores spoke with Mrs. Burke and the Bronx District Office Manager Raquel Padilla, who was on site for a meeting, and both stated that the confrontation was provoked by Officer Smart. Mrs. Burke also mentioned that Mr. Smart had been told before that no one is authorized to go through the aforementioned door in the morning. Mrs. Burke then informed Mr. Flores that Officer Blanding was removed from the site by a NYPD Sergeant that was inside the DMV. Mrs. Burke informed Mr. Flores that she did not want Officer Blanding fired, as she felt he was not wrong and was a very good guard.

After speaking with managers on the District Office side, Mr. Flores went to speak with personnel from the Ticket Violation Bureau and Officer Smart. The TVB on-duty supervisor, Danielle Calvo stated that Officer Smart did not initiate the confrontation. Mrs. Calvo also stated that she did not want Officer Smart fired, as she felt the incident was not his fault and he was a very good guard. Officer Smart stated that Officer Blanding angrily confronted him about letting personnel through the aforementioned door and used profanity and then as he was following him, Officer Blanding opened the door, causing it to hit his head.

Mr. Flores informed the managers on both sides that PEC takes workplace confrontations very seriously and based on the fact that witnesses can be produced against both officers, both officers are subject to termination. Mrs. Burke and Mrs. Calvo both requested that their officer not be fired over the incident.

After speaking with the local precinct Mr. Flores was informed there was no formal complaint signed against Officer Blanding by any DMV personnel or Officer Smart. The Sergeant that took Officer Blanding into custody did so based on the statement that Officer Smart was hit in the head by the door that Officer Blanding opened. As a result, Officer Blanding would be issued a Temporary Restraining Order, preventing him from being in the same area as Officer Smart. The Sergeant explained that as no complaint was filed, the TRO would be dismissed on the scheduled court date.

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Mr. Flores then consulted with PEC Director of Operations, Tom Roche. After taking into consideration the client requests and the fact that there were conflicting witness on both sides, it was decided that if each side agrees that the officer on the other side can remain employed, under the condition that any further incident will result in the immediate termination of the offending officer, then both officers can remain employed at the site.

Mr. Flores relayed the information to both sides. Mrs. Burke signed a letter stating that she would like Officer Blanding to retain his job with the understanding that any future incident would result in termination, and also with the understanding that Officer Smart will remain employed at the Ticket Violations Bureau. Mrs. Calvo was not authorized to write a letter, but instead asked that PEC speak with her District Manager Will Kendall.

Mr. Roche telephoned Mr. Kendall and discussed the incident and resolution. Mr. Kendall verbally agreed to the resolution, preferring not to put anything in writing, but offering to speak with any concerned parties.

Both officers received and signed disciplinary action notices, informing them that any further incidents will result in disciplinary action, up to and including termination.

Officer Blanding is temporarily working at the Bronx District Office and will return to the Brooklyn District office following the dismissal of the TRO.

Respectfully submitted,

Thomas Roche

Director of Operations

PEC Group of NY, Inc.

845-803-8478

troche@pecsecurity.com



STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

CONEY ISLAND DISTRICT OFFICE 2875 West 8th Street, Brooklyn NY 11224-3604

May 16th, 2013

PEC Group of NY, Inc.

To Whom it May Concern:

I will like to continue to have Barry Blanding as our security guard in the DMV Coney Island D.O., with the understanding that can be terminated if he were to get into another situation against company's policy. Also with the understanding that David Smart will still be working at the TVB office.

Thank you,

Heidi Burke Office Manager

File

05/20/2013 13:45

1718-266-7478

BROOKLYN SOUTH

PAGE 01/01



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Employee Termination Notice

Employee Name: <u>David Smart</u>	Date: May 16th, 2013
	e of Warning Termination
	Job Abandonment Other (please specify below)
Description of Infraction Officer Smart was in Blanding. The confrontation was witnessed by sinvolvement from PEC and client management.	Details Evolved in a confrontation with co-worker Officer Several people at the workplace and required
Officer Smart's actions caused a disruption at the responsibilities of his position.	ne workplace and are contrary to the duties and
Officer Smart, with this final warning, is hereby disciplinary action, up to and including terminat	
Acknowledgen	nent of Receipt of Notice
By signing this form, you confirm that management has discussed the above mention incident with you	
and the warning has been presented to you in w	vriting.
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Employee Signature	Date
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Manager)	Date .
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Witness	Date
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Received Time May. 20. 2013 1:37PM No. 4911

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NYS DMV



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Employee Termination Notice

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Type of Offense		
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X Misconduct Dress Code O	ther (please specify below)	
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Details		
Description of Infraction Officer Blanding was involved	d in a confrontation with co-worker Officer	
Smart. The confrontation was witnessed by several people at the workplace and required involvement		
from PEC and client management.	sie at the workplace and required involvement	
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responsibilities of his position.	٠,	
Officer Blanding, with this final warning, is hereby notified	ad that any further incident will result in	
disciplinary action, up to and including termination.		
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